

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET SW**  
**WASHINGTON DC 20554**

MEDIA BUREAU  
AUDIO DIVISION  
APPLICATION STATUS: (202) 418-2730  
HOME PAGE: [www.fcc.gov/mb/audio/](http://www.fcc.gov/mb/audio/)

ENGINEER: CHARLES N. (NORM) MILLER  
TELEPHONE: (202) 418-2767  
FACSIMILE: (202) 418-1410  
E-MAIL: [charles.miller@fcc.gov](mailto:charles.miller@fcc.gov)

July 22, 2010

John S. Neely, Esq.  
Miller and Neely, P.C.  
6900 Wisconsin Avenue, Suite 704  
Bethesda, MD 20815

Re: AGM California  
KERN (AM), Wasco-Greenacres, California  
Facility Identification Number: 35899  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed July 31, 2009, on behalf of AGM California ("AGM"). AGM requests special temporary authority ("STA") to modify its nighttime directional pattern and to construct a synchronous AM booster station at Bakersfield, California. For reasons which are discussed herein, the request is denied.

AGM seeks to construct an experimental AM Booster station which would extend the nighttime service area of Station KERN. AGM states that it proposes to use GPS reference receivers/clocks to obtain synchronous operation of the main and booster transmitters. AGM further states that it plans to experiment with an audio delay system to synchronize the modulating signals at the two transmitters, resulting in interference-free operations between the main and booster stations.

Our review indicates that the proposed operation would not result in any "technical experimentation directed toward improvement of the technical phases of operation and service..."<sup>1</sup> The characteristics of synchronous AM transmitters are well known, and the technique of employing audio delay devices to obtain synchronous modulation has been in use for many years for multi-transmitter installations in various services, such as one-way paging systems. Based on the information provided, we are unable to reach a conclusion that the proposed operation is likely to "contribute toward improvement of the technical phases of operation and service" for AM broadcasting. We further find that, in order to reach a conclusion of no increased nighttime interference to other stations resulting from the proposed booster operation, AGM proposes modifications to the licensed nighttime directional pattern of Station KERN. Such modifications must be considered within the context of an application for

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<sup>1</sup> See 47 C.F.R. Section 73.1510(a).

construction permit, as opposed to an STA request. AGM requests waiver of several of the Commission's technical rules<sup>2</sup>, with no other apparent basis for such waivers than that they are necessary to provide for operation of the proposed AM booster. Finally, the proposed operation would result in a substantial extension of nighttime service beyond the presently licensed nighttime service area of Station KERN, in contravention of our STA policies. In summary, we are unable to reach a conclusion that the Public Interest would be served by grant of the instant request.

Accordingly, the request for STA IS HEREBY DENIED. This action is taken pursuant to 47 CFR Section 0.283.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: AGM California

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<sup>2</sup> In particular, Sections 73.1510(c)(4); 73.182(q), Note 1.